

ENFORCEMENT OF THE  
*ENVIRONMENTAL PROTECTION  
AND ENHANCEMENT ACT*

And

*WATER ACT*

1 Jan 2009 - 31 Mar 2009

May 2009  
Environmental Management Division  
Alberta Environment

## Enforcement Actions

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<i>Company/Individual</i>	<i>Municipality / LLD</i>	<i>Decision Date/ Penalty</i>	<i>Act/ Regulation</i>	<i>Comments / Disposition</i>
<b>Administrative Penalties</b>				
Ron Lazenby o/a Royco Air Service	Kneehill County 1-32-23-W4	15-Jan-09 Assessed: \$4,500.00	AEPEA(R) 43/97 11(1) 24/97 5(1)(a)	The Company applied pesticide in a manner causing or likely to cause an adverse effect, and failed to create a complete pesticide application record. Notice of Appeal received at the Environmental Appeals Board 20 August 2008. Environmental Appeals Board reduced penalty to \$3000.00 05 January 2009. Paid 15 January 2009.
Rocky Mountain Properties Inc. & Morrison Hershfield Limited	MD of Rocky View SW-11-26-29-W4	26-Jan-09 Assessed: \$3,500.00	WA 36(1)	Rocky Mountain Property Inc, owner of the lands, and its consultant, Morrison Hershfield Ltd. commenced and continued an activity, the unauthorized construction of the Forebay, the dyke and subsequent placement of soil on the frozen surface of MacDonald Lake. Paid 3 March 2009.
Alberta Wood Preservers Ltd.	Spruce Grove NW-34-52-27-W5	05-Feb-09 Assessed: \$7,500.00	AEPEA(R) 227(e)	The Company operates the Spruce Grove wood processing plant pursuant to an Approval. It contravened its approval by submitting the 2007 Annual Summary and Evaluation Report late; submitting the 2007 Annual Industrial Runoff Report late; submitting the 2007 Annual Waste Management Summary Report late; submitting the 2007 Annual Groundwater Monitoring Summary Report late; submitting the Soil Monitoring Program Proposal late; and failing to immediately report by telephone a contravention of a term of the Approval. Paid 24 March 2009.

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<b>Amended Enforcement Orders</b>				
Village of Boyle	Boyle NW-12-65-19-W4	11-Mar-09	WA 135(1)	Amendment No. 3 to WA-EQ-2007/04 issued adding the following after paragraph 6 as a new paragraph 7: This Order will be reviewed upon completion of the regional water line and commencement of water service to the Village of Boyle via the regional water line.
JOVNIC Ltd., Mac-Sie Equipment Rentals Inc. & Sochatsky, Simon	Edmonton Plan 8920191, Block 3	18-Mar-09	WA 36(1)	Amendment No. 1 to WA-EQ-2008/02-NR issued adding the following sub-clauses as 4(e) and (f) to Clause 4: (e) If the Remedial Plan proposes to retain or modify the Works (in whole or part) or proposes to construct new Works; the Parties shall obtain all required authorizations and approvals for the Works. (f) If the Parties propose to retain or modify the Works, the parties shall have all required authorization and approval for the Works no later than May 14, 2009. Clause 5 of the Order is amended by deleting "The Completion date for all of the remedial work shall be no later than July 25, 2008".

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<b>Enforcement Orders</b>				
Canadian Gas & Electric Inc.	Grande Prairie NW-11-73-6-W6 SW-23-21-6-W6	30-Jan-09	AEPEA(R) 227(e)	The Company owns and operates a thermal electric (biomass fired) power plant pursuant to an Approval. The Company contravened its approval with numerous emission limits exceedances. The Company shall submit a Comprehensive Action Plan; upgrade the super heater and submit a final report; upgrade the electrostatic precipitator and submit a final report; complete the work in the Comprehensive Action Plan; submit to the Director monthly progress reports on achievements completed toward meeting the order in the previous month; and, submit a final report that outlines all of the steps and actions taken in each element of the Comprehensive Plan.

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<b>Environmental Protection Orders</b>				
Cardinal Petroleum Company	MD of Taber NW-9-9-17-W4	05-Jan-09	AEPEA(R) 140 113	The Company was licensed or otherwise authorized by the Alberta Energy and Utilities Board ("EUB") to operate wells. Alberta Environment ("AENV") has not issued reclamation certificates for the Sites. AENV is of the opinion that work is necessary in order to conserve and reclaim the sites, and is of the opinion that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan; submit and implement a Remedial Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once they have met the criteria.
Legal Oil & Gas Ltd.	MD of Big Lakes NE-9-73-18-W5	05-Jan-09	AEPEA(R) 113 140	The Company was licensed or otherwise authorized by the Alberta Energy and Utilities Board ("EUB") to operate wells. The Surface Rights Board issued Termination Orders to the Company and Alberta Environment ("AENV") has not issued reclamation certificates for the Sites. AENV is of the opinion that work is necessary in order to conserve and reclaim the sites, and is of the opinion that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan; submit and implement a Remedial Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once they have met the criteria.
St. Ives Energy Corporation	MD of MacKenzie SE-3-118-5-W6	09-Feb-09	AEPEA(R) 140 113	The Company was licensed or otherwise authorized by the Alberta Energy and Utilities Board ("EUB") to operate wells. Alberta Environment ("AENV") has not issued reclamation certificates for the Sites. AENV is of the opinion that work is necessary in order to conserve and reclaim the sites, and is of the opinion that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan; submit and implement a Remedial Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once they have met the criteria.

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<b>Environmental Protection Orders</b>				
Ward Chemical Incorporated	MD of Opportunity SE-30-71-21-W4	09-Mar-09	AEPEA(R) 113	criteria.ii:  The Company operates the Calling Lake brine storage pond pursuant to an Approval. In 2006, groundwater monitoring at the facility showed high levels of chlorides and other contaminants, which exceeded provincial and federal guidelines. Further investigation in May 2007 identified possible contamination within the groundwater on-site and impacts on off-site vegetation. A meeting was held with the Company in May 2007 and again in September 2008 to discuss a delineation plan and improved operational activities to address the contamination. Alberta Environment is of the opinion that the Company has not taken the required steps to correct the situation. The Company shall submit an operational plan for the brine storage pond and the above ground storage tanks and a plan for the remediation of both on and off-site contamination.ii:
Cardinal Petroleum Company	MD of Taber SW-13-11-14-W4	16-Mar-09	AEPEA(R) 140 113	The Company was licensed or otherwise authorized by the Alberta Energy and Utilities Board ("EUB") to operate wells. Alberta Environment ("AENV") has not issued reclamation certificates for the Sites. AENV is of the opinion that work is necessary in order to conserve and reclaim the sites, and is of the opinion that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan; submit and implement a Remedial Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once they have met the criteria
Cardinal Petroleum Company	Vulcan County SW-35-20-15-W4	16-Mar-09	AEPEA(R) 140 113	The Company was licensed or otherwise authorized by the Alberta Energy and Utilities Board ("EUB") to operate wells. Alberta Environment ("AENV") has not issued reclamation certificates for the Sites. AENV is of the opinion that work is necessary in order to conserve and reclaim the sites, and is of the opinion that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative

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<b>Environmental Protection Orders</b>				
Cardinal Petroleum Company	County of Newell SW-6-10-14-W4	16-Mar-09	AEPEA(R) 140 113	Plan; submit and implement a Remedial Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once they have met the criteria.1  The Company was licensed or otherwise authorized by the Alberta Energy and Utilities Board ["EUB"] to operate wells. Alberta Environment ["AENV"] has not issued reclamation certificates for the Sites. AENV is of the opinion that work is necessary in order to conserve and reclaim the sites, and is of the opinion that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan; submit and implement a Remedial Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once they have met the criteria.1

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Prosecutions				
No Activity				



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<b>Tickets</b>				
C's Oilfield Consulting & Construction Service Ltd.	County of Vermilion River	27-Jan-09 Penalty: \$115.00	AEPEA(R) 61	The Company burned prohibited debris in an open fire without an approval. The Company pled not guilty to the offence and trial was set for 27 January 2009. The Company was found guilty of Section 61 under EPEA and was fined \$115.00. Paid 27 January 2009.
R. Sneigrove & Sons Ltd.	Vermilion	19-Feb-09 Penalty: \$115.00	AEPEA(R) 61	The Company conducted an activity, the burning of prohibited debris in an open fire without an Approval. Paid 15 February 2009.

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<b>Warning Letters</b>				
Matichuk Equipment (1991) Ltd.	Bonnyville SE-13-61-6-W4	05-Jan-09	WA 36(1)	The Company conducted an activity, unauthorized earthwork activity in a water body on September 23, 2008.
Newalta Corporation	Calgary Plan 8911767, Block 2, Lot 26	06-Jan-09	AEPEA(R) 191	The Company operates the Calgary Hazardous Waste Storage and Transfer Facility pursuant to an Approval. It contravened its approval with the shipment of hazardous wastewater from Crossfield, Alberta to its facility on December 13, 2006.
Shell Canada Limited	Strathcona County SW-32-55-21-W4 SE-32-55-21-W4 NW-32-55-21-W4 31-55-21-W4 NE-30-55-21-W4 NW-29-55-21-W4	07-Jan-09	AEPEA(R) 227(e)	The Company operates the Scotford Oil Refinery pursuant to an Approval. It contravened its approval by failing to complete the required Bioassay test required for the month of April 2008.
Clayton Construction Co. Ltd.	MD of Bonnyville SE-24-62-7-W4	08-Jan-09	WA 36(1)	The Company conducted an activity, the unauthorized construction of a dugout in a watercourse commencing October 31, 2008.
Devon Canada Corporation	MD of Bonnyville SE-24-62-7-W4	08-Jan-09	WA 36(1)	The Company conducted an activity, the unauthorized construction of a dugout in a watercourse commencing October 31, 2008.
Strumecki, James and Mary	MD of Bonnyville SE-24-62-7-W4	08-Jan-09	WA 36(1)	James and Mary Strumecki conducted an activity, the unauthorized construction of a dugout in a watercourse commencing October 31, 2008.
Nielsen, Harvey	Enilda SW-13-75-15-W5	09-Jan-09	WA 36	Mr. Nielsen conducted an activity, the construction of a dugout inside the banks of Mud Creek on April 24, 2007 without authorization.
Hutterian Brethren Church of Grandview	County of Grande Prairie NE-20-72-7-W6	21-Jan-09	WA 36(1) 49(1)	The Hutterian Brethren Church of Grandview conducted an activity, the unauthorized construction of waterworks located at NE 20-72-7-W6M and the associated unlicensed diversion of surface water, and the unlicensed diversion

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<b>Warning Letters</b>				
				of groundwater from waterwells located at NE 20-72-7-W6M.
KEYERA Energy Ltd.	Yellowhead County 12-46-14-W5	29-Jan-09	AEPEA(R) 227(e)	The Company operates the Brazeau River Sour Gas plant pursuant to an approval. It contravened its approval by implementing the Soil Monitoring Program Proposal on August 26, 2008 without authorization in writing by the Director, and failing to immediately report by telephone any contravention of the terms and conditions of this approval.
KEYERA Energy Ltd.	Yellowhead County 22-49-12-W5	29-Jan-09	AEPEA(R) 227(e)	The Company operates the West Pembina Sour Gas Processing plant pursuant to an approval. It contravened its approval by implementing the Soil Monitoring Program Proposal on July 22, 2008 without authorization in writing by the Director, and failing to immediately report by telephone any contravention of the terms and conditions of this approval.
Ron Prokipchuk Trucking Ltd.	Woodlands County SW-2-59-10-W5	05-Feb-09	WA 36(1)	The Company conducted an activity, the deposition of construction material into Bull Creek on or before October 22, 2008.
Roseglan Hutterian Brethren	Cypress County SW-2-18-2-W4	10-Feb-09	AEPEA(R) 61 192/96 18(1)	The Roseglan Hutterian Brethren conducted an activity, the improper storage of hazardous recyclables (used oil and glycols) and the burning of prohibited debris (Styrofoam and plastics) on June 4, 2008.
Kropp, Dennis	MD Lesser Slave River NE-21-72-5-W5	12-Feb-09	WA 36(1)	Mr. Kropp conducted an activity, stream bank alteration of Eating Creek on June 27, 2007.
Alberta Clipper Energy Inc.	County of Barrhead 32-58-1-W5	17-Feb-09	AEPEA(R) 61	The Company conducted an activity, the operation of the Manola sour gas plant from June 28, 2005 to August 17, 2008 without being the holder of the required approval.
The Crowsnest/Pincher Creek	Cowley	17-Feb-09	AEPEA(R)	The Crowsnest/Pincher Creek Landfill Association conducted an activity, the

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<b>Warning Letters</b>				
Landfill Association	W-8-7-1-W5		227(e)	release of wastes from the Landfill on March 11, 2008.
Tollestrup Holdings Ltd.	Fort MacLeod NW-6-9-25-W4	25-Feb-09	AEPEA(R) 61 135	The Company conducted an activity, the construction and operation of a pit without a Registration between October 12, 2007 and November 3, 2008, and without having provided security.
Pengrowth Corporation	Cypress County NE-34-19-9-W4	17-Mar-09	AEPEA(R) 227(e)	The Company operates the Jenner Sour Gas Processing Plant pursuant to an Approval. It contravened its approval with the failure to submit monthly air monitoring reports from February to December of 2007. These reports were not received until November 4, 2008.
MEC Operating Company ULC	Lamont County SE-26-56-19-W4	23-Mar-09	AEPEA(R) 109(2)	The Company conducted an activity, the release of produced water from a pipeline originating from its 15-23-56-19-W4M battery site, which was reported to Alberta Environment on August 20, 2008.
Border Paving Ltd.	Parkland County SE-19-50-4-W5	30-Mar-09	WA 36(1)	The Company conducted an activity, the infilling of two unnamed tributaries of the North Saskatchewan River without authorization on or before March 13, 2009.

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<b>Water Management Orders</b>				
Shell Canada Limited	Yellowhead County 26-56-21-W5 NW-27-56-25-W5 23-56-25-W5 SW-23-56-21-W5 NE-15-56-25-W5	19-Feb-09	WA 99(1) 97(1)(c)	Between August 26 and 29, 2008, Alberta Environment conducted inspections within Yellowhead County where oil and gas activities are taking place, to ensure compliance with the standards for construction and operation of watercourse and pipeline crossings over water bodies. Multiple sites were found to have not been constructed or maintained with adequate sediment and erosion controls, which has resulted or may result in an adverse effect on the aquatic environment. The Company shall submit a remediation plan detailing measures undertaken to rectify all adverse effects that are presently being caused to the watercourse, and prevent any future adverse effects, from erosion and sedimentary deposits for each of Sites #1-6; include a schedule of implementation for the remedial work; Retain a qualified aquatic environmental specialist to prepare the remediation plan; Implement the work in the remediation plan; and submit within 14 days of completion of the work, a final written report confirming the remedial work undertaken to comply with this Order.
Talisman Energy Inc.	Yellowhead County 11-54-22-W5 13-56-21-W5 NW-34-55-23-W5 31-55-3-W6	19-Feb-09	WA 99(1) 97(1)(c)	Between August 26 and 29, 2008, Alberta Environment conducted inspections within Yellowhead County where oil and gas activities are taking place, to ensure compliance with the standards for construction and operation of watercourse and pipeline crossings over water bodies. Multiple sites were found to have not been constructed or maintained with adequate sediment and erosion controls, which has resulted or may result in an adverse effect on the aquatic environment. The Company shall submit a remediation plan detailing measures undertaken to rectify all adverse effects that are presently being caused to the watercourse, and prevent any future adverse effects, from erosion and sedimentary deposits for each of Sites #1-4; include in the remediation plan for Site #2 the removal of the temporary crossing and undersized culverts, associated structure/materials and debris currently at that location, and any methods and/or measures that will be employed to ensure that the removal will not cause any adverse effects to the waterbody; include a schedule of implementation for the remedial work; Retain a qualified aquatic environmental specialist to prepare the remediation plan; Implement the work in the remediation plan; and submit within 14 days of completion of the work, a final

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<b>Water Management Orders</b>				
West Fraser Mills Ltd.	Yellowhead County SW-14-56-21-W5 29-53-25-W5 26-54-25-W5	19-Feb-09	WA 97(1)(c) 99(1)	<p>written report confirming the remedial work undertaken to comply with this Order.</p> <p>Between August 26 and 29, 2008, Alberta Environment conducted inspections within Yellowhead County where oil and gas activities are taking place, to ensure compliance with the standards for construction and operation of watercourse and pipeline crossings over water bodies. Multiple sites were found to have not been constructed or maintained with adequate sediment and erosion controls, which has resulted or may result in an adverse effect on the aquatic environment. The Company shall submit a remediation plan detailing measures undertaken to rectify all adverse effects that are presently being caused to the watercourse, and prevent any future adverse effects from erosion and sedimentary deposits for each of Sites #1-3; include a schedule of implementation for the remedial work; Retain a qualified aquatic environmental specialist to prepare the remediation plan; Implement the work in the remediation plan; submit within 14 days of completion of the work, a final written report confirming the remedial work undertaken to comply with this Order.</p>